BILL NO. X-81-02-5

ANNEXATION ORDINANCE NO. X-02-81

AN ORDINANCE annexing certain territory commonly known as Centennial Townhouse Apartments to Fort Wayne, and including the same in Councilmanic District No. 6.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

A parcel of land located in the Northwest One-Quarter of Section 31, Township 30 North, Range 13 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the center of Section 31, Township 30 North, Range 13 East; thence North along the North-South centerline of Section 31 a distance of 443.0 feet to the point of beginning. BEGINNING at the above described point; thence continuing North along said North-South centerline a distance of 887.0 feet to the South line of the Northeast One-Quarter of the Northwest One-Quarter of Section 31; thence West along the South line of the Northeast One-Quarter of the Northwest One-Quarter a distance of 339.33 feet; thence South a distance of 870.8 feet; thence South 87 degrees -16' East a distance of 339.72 feet to the point of beginning, containing 6.85 acres of land more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of one (1) year from the effective date of annexation, governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to area within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density,

and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

SECTION 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

SECTION 4. Said described territory shall be part of Councilmanic District No. 6 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

CITY OF FORT WAYNE

Councilmember

Approved as to form and legality

APPROVED AS TO FORM AND LEGALITY FEBRUARY 20, 1981.

JOHN E. HOFFMAN, CITY ATTORNEY

Read the first time in full and on motion by Eisbart, seconded by Gilmore, and duly adopted, read the second time by title and referred to the Committee Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the day of , 19 , at o'clock M.,E.S.T.

DATE: 2-24-81

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Eisbart, seconded by Nuckols, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8	1			
BURNS	X				
EISBART	X				
GiaQUINTA	X				
NUCKOLS	X				
SCHMIDT, D.	X				
SCHMIDT, V.	X				
SCHOMBURG	X				
STIER	~~X~~	X			
TALARICO	X				

DATE: 4-14-81

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ZONING MAP~~) (GENERAL) (ANNEXATION) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE (~~RESOLUTION~~) No. X-02-81 on the 14th day of April, 19 81.

ATTEST: Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

(SEAL) John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of April, 19 81, at the hour of 2:30 o'clock P. M.,E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 20th day of April 19 81, at the hour of 9 o'clock A M.,E.S.T.

WINFIELD C. MOSES, JR.
MAYOR

BILL NO. X-81-02-51

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON Annexation TO WHOM WAS REFERRED AN ORDINANCE annexing certain territory commonly known as Centennial Townhouse Apartments to Fort Wayne, and including the same in Councilmanic District No. 6

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

BEN A. EISBART, CHAIRMAN

DONALD J. SCHMIDT, VICE CHAIRMAN

VIVIAN G. SCHMIDT

SAMUEL J. TALARICO

MARK E. GiaQUINTA

4-14-81
DATE

CONCURRED IN
CHARLES W. [illegible]IAN, CITY CL[illegible]

Memorandum

To Members of the Common Council Date March 30, 1981

From Abe Farkas, Director, C D & P

Subject Centennial Townhouse Apartments Voluntary Annexation

COPIES TO:

Common Council
John Logan

At the March 23, 1981 business meeting, the City Plan Commission passed a resolution recommending that the Centennial Townhouse Apartments Annexation, Bill No. X-81-02-51 and Resolution No. R-81-02-52, be given a DO PASS. A copy of the Commission's resolution and the annexation fiscal plan are attached for your consideration. The ordinance and annexation resolution have been returned to the Council for action.

The area to be considered for annexation is located south of the City in Section 31, Adams Township. More particularly, the 6.85 acre vacant site is located at the east end of Serenity Drive approximately 1,300 feet south of Tillman Road. Annexation of the site has been voluntaried by the property owner to simplify the plan review process for a proposed apartment complex. The entire site in which the apartment complex is proposed is currently divided by City Limits.

Please inform us of any meetings to discuss this annexation so that we can be available to answer your questions.

The City of Fort Wayne

March 30, 1981

TO: The Common Council
City of Fort Wayne

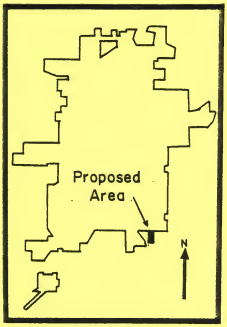
RESOLUTION
OF THE
CITY PLAN COMMISSION

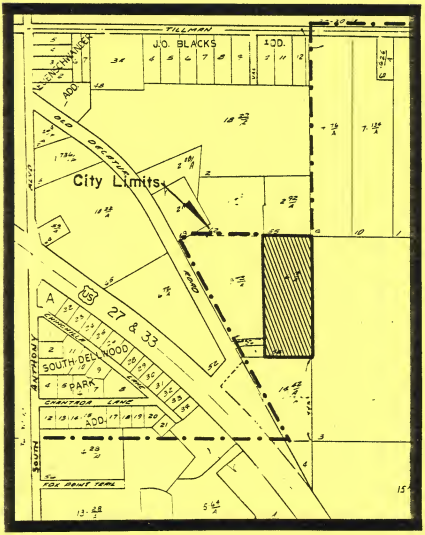
BE IT HEREBY RESOLVED that the City Plan Commission recommends DO PASS for the Centennial Townhouse Apartments Annexation, Bill No. X-81-02-51 and Resolution No. R-81-02-52.

Certified and signed this
30th day of March, 1981

Dennis Grotrian
Secretary

CENTENNIAL TOWNHOUSE ANNEXATION





CITY OF FORT WAYNE,
DEPARTMENT OF C.D.& F

INTRODUCTION

The Centennial Townhouse Apartments Annexation is a voluntary annexation to the City of Fort Wayne. The owners of the property, American Fletcher National Bank and Trust Company, petitioned for the area to be annexed on January 28, 1981. Extraterritorial planning jurisdiction for this site has already been granted to the City Plan Commission by the Allen County Commissioners. Current plans for the site are the development of Section 8 apartment units.

The existing city limits split the site. Therefore, annexation would place the entire site within the City and simplify the provision of municipal services to the apartment complex.

The Centennial Townhouse Apartment Annexation satisfies the criteria of Indiana Code 18-5-10-23. In addition, the fiscal plan as described in this document fulfills the requirement of Resolution R-56-79 which has been adopted by the Fort Wayne City Council. The plan describes the area to be annexed, sets forth a plan to provide municipal services, and summarizes the financial impact of the annexation upon the City.

I. BASIC DATA

A. LOCATION: The area proposed for annexation is located south of the City in Section 31, Adams Township. More particularly, the site is located at the east end of Serenity Drive approximately 1,300 feet south of Tillman and 200 feet east of Old Decatur Road. See Figure 1.

B. SIZE: ± 6.85 acres of land.

C. POPULATION/DENSITY: The area is vacant and as such has no population. However, once the area is developed it is estimated that the complex will house approximately 210 persons, or 31 persons per acre.

D. BUILDINGS: The site does not presently contain any structures. According to the site plans for Centennial Apartments, 6 apartment buildings containing 64 units and a combination office, maintenance and laundry complex is proposed in the area to be annexed. A breakdown of the 64 apartment units show that 24 townhouses and 40 apartments are to be developed.

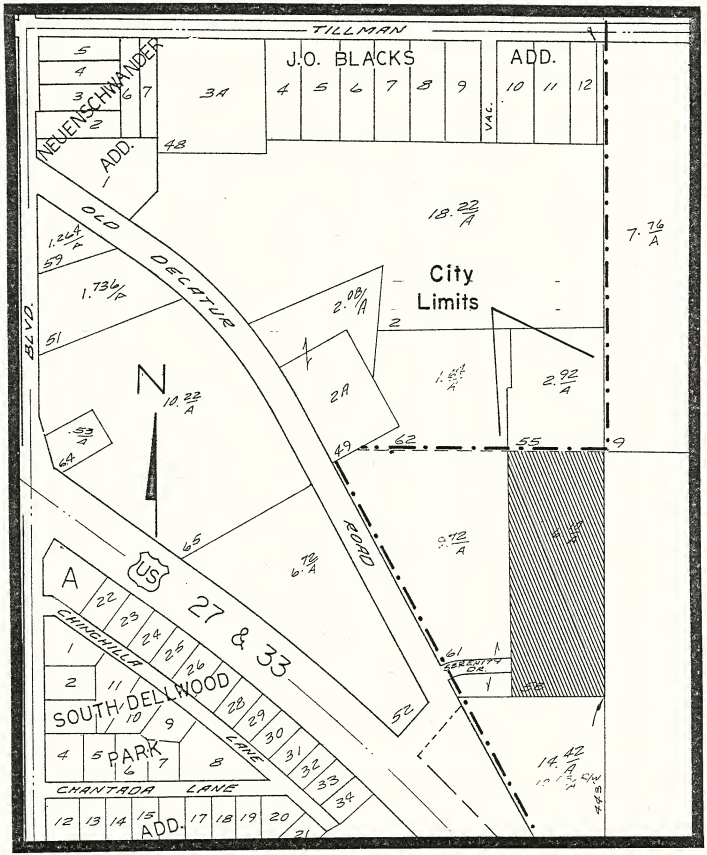
E. ZONING: The area to be annexed is zoned R-1, Single Family Residential. See Fig. 2.

F. PLANNING: At this time, the annexation area is vacant. The owners of the property petitioned for annexation because their proposed development is currently split by city limits. Extraterritorial planning jurisdiction has already been given to the City of Fort Wayne by the Allen County Commissioners.

Annexation of the area allows the City to expand with the developing urbanized area. In addition, annexation also provides for a more efficient provision of municipal services such as, police and fire protection. This fact is extremely important since the existing city limits split the site. The land is contiguous to the City, and more than fifty percent of the property owners petitioned for annexation, so the requirements for voluntary annexations as outlined in Indiana law are met.

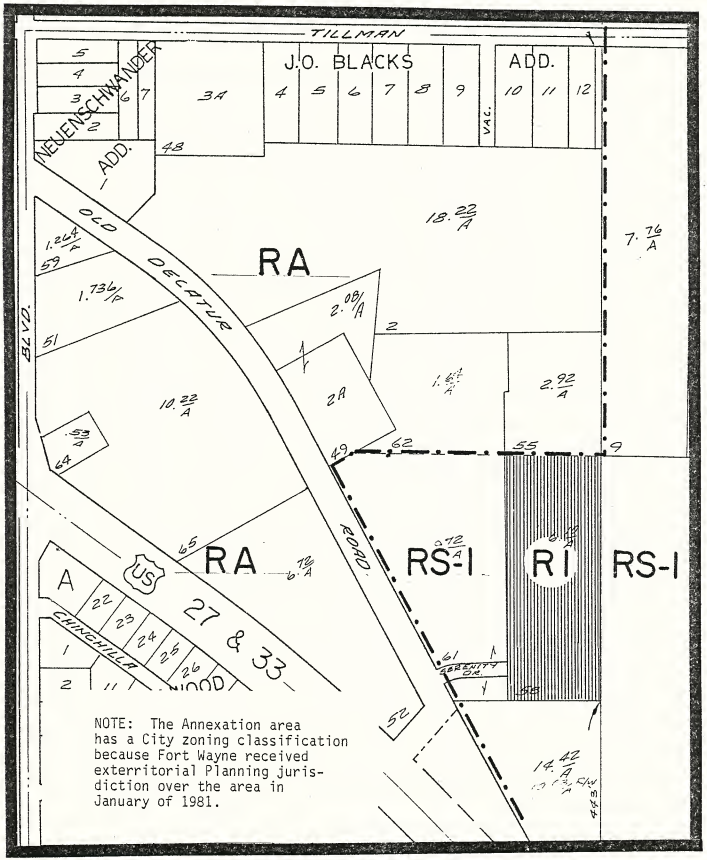
ANNEXATION AREA

FIGURE 1



ZONING

FIGURE 2



II. MUNICIPAL SERVICES

Municipal services are analyzed in terms of the needs of the Centennial Townhouse Apartment Annexation along with the costs of providing these services. As required by Indiana law, City services will be provided in a manner that treats the annexation area the same as similar areas in the City. Services will be at City standards.

The City of Fort Wayne will provide police and fire protection, emergency medical service, traffic control (if streets are dedicated), solid waste collection, and street and road maintenance (if streets are dedicated) immediately upon annexation. New streets and roads, street lighting, sanitary and storm sewers, water, and other capital improvements will be provided in accordance with standard procedures.

All the following service reports are based on the assumption that construction of the project will not begin until mid-summer of 1981 with occupancy beginning in mid-summer of 1982. This assumption is a conservative one in that mid-summer of 1981 would be the earliest that construction could begin because of rezoning and development plan procedures, and necessary permits.

A. POLICE:

The Fort Wayne Police Department will become responsible for servicing the Centennial Townhouse Apartment proposal immediately upon annexation. This service generally includes the prevention and detection of criminal activity, the apprehension of criminal offenders, assistance to those who cannot care for themselves or who are in danger of physical harm, the resolution of day to day conflicts among family, friends and neighbors, and the creation and maintenance of feeling of security in the community. The Police Department is also involved in legal work such as participation in court proceedings and protection of constitutional guarantees. Furthermore it is responsible for the control of traffic and the promotion and preservation of civil order.

The location, size and character of the area to be annexed has been analyzed by the Police Department and an estimate made of the cost of providing police service. The area can be served by extending Police District #9. Once the area is annexed, a maximum of eleven police trips a day will be made through the area. Of course, the present vacant character of the site will require less service. In any case, there will be daily variations and the Chief of Police will routinely monitor service delivery and make necessary adjustments in patrol districts, patterns and manpower.

Using an average of eleven (11) patrols in a twenty-four hour time period, and calculating the cost of these patrols in office time and equipment used, it would cost $8,449.75 a year to serve the annexation area. This cost figure is based on a maximum effort. At the present level of development, the cost of providing service to the site is actually an uncalculably small amount. This small amount will increase to the $8,449.75 figure once full development and occupancy of the area take place. Even without annexation, it is important to note that the Police Department would still be covering that portion of the project presently within the City's limits.

Funding for the manpower and equipment used to serve the area will come from the regular Police Department budget which is derived primarily from local property taxes through the General Fund.

ESTIMATED ANNUAL COST: $8,449.75

B. FIRE: The Fort Wayne Fire Department will provide service to the Centennial Townhouse Apartments area immediately upon annexation. The services provided include fire protection and suppression, emergency rescue, and fire prevention. Response will come from Station #12 at 5300 South Anthony and Station #11 at the corner of Lafayette and Rudisill. The response time for the first fire pump should be approximately 4-5 minutes.

Serving the proposed apartment complex will not require additional personnel or equipment, although any runs to the area will use some materials. However, the extra materials used for this annexation alone will not lead to an increase in the Fire Department budget. It should also be noted that existing personnel will be used for inspections in the area, and that the Fire Department will be serving the northern portion of the proposed development which is already within the city limits.

ESTIMATED ANNUAL COST: $0

C. EMERGENCY MEDICAL SERVICE: Immediately upon annexation, the Centennial Townhouse Apartments Area will receive full time emergency medical service coverage from the Fort Wayne EMS Department. This includes both Basic Life Support and Advanced Life Support.

EMS response will come from Lutheran Hospital, located at Fairfield and Wildwood. In addition, for certain emergencies such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. This assistance will come from Stations #12 and #11. The Fire Department trains a number

of its personnel so that each Station has an emergency medical technician. Therefore, the firemen are able to administer medical treatment to residents before the ambulance arrives to transport them.

The Emergency Medical Service provided to the proposed annexation area will be equivalent to service provided to other areas within the City. It must be noted that the City will be providing service to that portion of the proposed development currently within the City, so response time to the annexation area directly south and adjacent to the City portion of the development will be the same.

In the past, the cost of EMS services was computed by a per capita method. However, according to the Director of EMS the method of financing Emergency Medical Service will be changed within a month or so from the time of this writing. The new financing method is based on charging residents who use the service. The charge will run from a base rate of $65 to $120, depending upon the type of service needed. The City will be providing a small subsidy for each run. However, the area to be annexed is so small that this rate is negligible.

ESTIMATED ANNUAL COSTS: $0

D. SOLID WASTE COLLECTION: Under the present contract with National Serv-all, it costs the City $48.37* per household per year for solid waste collection in single family and duplex housing. In multiple family developments, however, the costs for solid waste collection are $48.37 for every two units. This 2 for 1 price is due to the use of community trash containers. Since the earliest the proposed complex can be completed and occupied is the summer of 1982, the costs for solid waste collection will increase incrementally over the first three fiscal years. The collection service will be funded by the City's General Fund.

ESTIMATED ANNUAL COSTS:	$ 0	in year 1
(No Inflation Factor)	$ 774	in year 2
	$ 1,548	in year 3

* The $48.37 figure is derived from the 1980 Contract Adjustment in the office of the Board of Works.

E. TRAFFIC CONTROL: The City of Fort Wayne will have no responsibilities with traffic control (this does not include traffic control provided by the police department) over this area after annexation. At the time of the preparation of this report, the developers of Centennial Townhouse Apartments were not proposing to dedicate the streets within the complex. Therefore, the developer will be required to provide all uniform traffic control signs including street name signs per City specifications. The City will offer the developer assistance for proper location of the signs.

ESTIMATED ANNUAL COSTS: $0

F. STREET LIGHTING: There will be no cost for street lightings since all streets within the project are private.

ESTIMATED ANNUAL COST: $0

G. STREETS & ROADS: Since there are no public dedicated streets in the annexation area, there will be no street maintenance or construction costs.

ESTIMATED ANNUAL COSTS: $0

H. PARKS: Within the proposed Centennial Townhouse Apartments, there will be several recreational facilities provided by the developer such as a basketball court, a childrens play apparatus area, and some horseshoe pits. The maintenance of these recreational facilities shall be the responsibility of the developer. In addition, all existing parks and their facilities will be available to the residents of the area to be annexed. There will be no additional costs to the City in providing these services.

ESTIMATED ANNUAL COST: $0

I. FORT WAYNE UTILITIES: Water and sanitary sewer services are provided by City Utilities. These services are paid for with user charges and tap fees and not through Civil City tax revenues.

(1) Water: A 12-inch water main is in existence on Old Decatur Road from South Anthony to Serenity Drive. The line is capable of serving the proposed Centennial Townhouse Apartments. The extension of the water service supply for this complex will be at the expense of the developer.

ESTIMATED ANNUAL COST: $0

(2) Fire Hydrants: Adequate fire hydrants to serve the proposed development will be provided by the developer of the land. Since there are no fire hydrants in the annexation area at this time, there will be no user costs to the City.

ESTIMATED ANNUAL COST: $0

(3) Sanitary Sewers: A 8-inch sanitary sewer line is available for the proposed Centennial Townhouse Apartments annexation area through Southtown Square. On site costs will be paid by the developer. No tax money will be used for sewer installation which is designed to service the annexation area, so the annexation does not add any utility costs for the Civil City.

ESTIMATED ANNUAL COST: $0

(4) Storm Sewer: According to preliminary development plans, the annexation will use a combination surface and storm sewer drainage system. There are presently a 12" and a 27" storm sewer lines adjacent to the site. The costs to extend and maintain these lines will be paid by the developer.

ESTIMATED ANNUAL COST: $0

J. GENERAL ADMINISTRATIVE FUNCTIONS: Upon annexation, all administrative functions of the City will be available to the Centennial Townhouse Apartments proposal. This includes, but is not limited to, The Law Department, The City Plan Commission, The Mayor's Office, The Board of Works, Metropolitan Human Relations, and so on. General administration includes all the regulatory and program functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas according.

The costs of these services cannot be directly related to the size or population of an area.[1] Consequently, this plan does not include cost estimates. However, the budgets of these departments are developed with consideration of annexation, thereby, expansion of administrative functions is possible. Funding comes from a variety of resources including the General Fund, monies from the State (MVH for example) and in some cases, Federal Grants.

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[1] Community Development & Planning, Annexation Program and Policy Study, 1975 & 1976.

III. FINANCIAL SUMMARY

A. REVENUE: Since the annexation area is proposed to be transformed from a vacant parcel of land to a multiple family complex, current assessed values do not accurately measure what can be reasonably expected in the near future. So that a more realistic assessment could be developed, the Adams Township Assessor was asked to review the proposed apartment complex and to determine a rough assessment of the area.

The existing state of the annexation area is currently assessed at $5,000.00 per acre. Therefore, total assessed valuation of the area is $34,250.00. If the area is annexed, but not developed, tax revenue would be $1,094.00. ($34,250 ÷ 100 x 3.1934 = $1,094)

After development, the assessed value of the annexation area will increase to $1,353,841.00. The proposed improvements to the property were estimated to be roughly $1,285,341.00 while the property itself is valued at $68,000.00. According to the Adams Township Assessor, the tax revenue to be received from the area once it is fully developed will be $43,234.00.
($1,353,841 ÷ 100 x 3.1934 = $43,234.00)

No additional population based State revenue will be received from the annexation area since the State uses the decennial (1980) census as a base.

B. EXPENDITURES: Expenditures reported in the Municipal Services Section are summarized below. These expenditures are based upon a full year of service to the proposed Centennial Townhouse Apartment complex. Utility costs are not reported here as they are paid for by the property owners, and only after they request the improvements.

SERVICE	CAPITAL COST	OPERATING COST
Police	0	$8,449.75
Fire	0	0
EMS	0	0
Solid Waste Collection	0	1,548.00
Traffic Control	0	0
Street Lighting	0	0
Street Maintenance	0	0
Parks	0	0
Fire Hydrants	0	0
General Administration	0	0
Total Cost		$9,997.75

C. FIVE YEAR SUMMARY:

The five year summary shows year by year expenditures and revenues to the City for the first five years after annexation. The summary automatically includes a 10 percent inflation factor for expenditures, but does not include an increase revenue factor. Tax revenue received from the area is based upon the 1981 tax rate.

In the first year, expenditures for the area are one-half of the costs normally required to provide services in a full year. The reason for this is because development of the proposed project will not begin until mid-summer of 1981. Thereafter, all expenditures are based upon a full year service. One other item to be noted is the cost of solid waste collection. The costs of solid waste collection are based upon the number of units in an area. Since the apartment units will not be occupied at least until mid 1982, there will be no costs incurred by the City for solid waste collection in 1981 and the first half of 1982.

Property tax revenue from the annexation area will not be collected until 1983. Assuming the area is annexed into the City by 1981, assessment of the area will not occur until March 1, 1982 and revenue will not be collected until 1983. According to the developers, the proposed apartment complex could be 70% completed by March 1, 1982. So, the 1983 tax revenues will only be 70% of the total possible assessment. Thereafter, the area will be assessed at 100%.

For the purpose of this summary, an effective date of June, 1981 is assumed.

YEAR	EXPENDITURES	PROPERTY TAX REVENUE	BALANCE
1981	$ 4,225	$ 0	-$ 4,225
1982	$10,145	$ 0	-$10,145
1983	$12,098	$30,262	+$18,164
1984	$13,307	$43,234	+$29.927
1985	$14,638	$43,234	+$28,596

IV. SUMMARY AND RECOMMENDATIONS

A. INDIANA ANNEXATION STATUTES: This voluntary annexation meets the legal requirements of I.C. 18-05-10-23 by being contiguous to the corporate limits and by being petitioned for annexation by more than 51% of the property owners. This report meets the fiscal plan requirements of R-56-79. It delineates the services to be provided to the annexation area, and estimates the costs of these services including how the services will be funded. No employees of other governmental entities will lose their jobs because of this annexation.

B. FORT WAYNE ANNEXATION POLICY: The Fort Wayne City Council has other annexation criteria in addition to those set forth by the Indiana State Statutes. The proceeding sections outline these criteria followed by the necessary responses.

1. The area proposed for annexation must have a unity of interest with the municipality.

Since part of the proposed townhouse and apartment complex is already located within the City, this condition is clearly met.

2. The advantages to the proposed annexation area must must outweigh the disadvantages.

The principal advantage to the annexation area will be that all of the apartment complex will be situated entirely within the City, and will no longer be divided by corporate limits. This advantage is exemplified in that the owners of the property volunteered their property for annexation. By being under one jurisdiction, urban services can be provided with less confusion and greater efficiency. There will be a greater tax burden on the area, but it can be reasoned that this is balanced by the clarity in service provision which makes development and operations simpler.

3. The advantages to the City must outweigh the disadvantages.

The annexation of Centennial Townhouse Apartments will enable the City to grow along the urban area, thereby providing for a broader tax base. In addition, having the entire complex within Fort Wayne would simplify the provision of services for the various City departments.

4. The deficit of income against expenses to the City must not be unreasonable.

As shown in the Five Year Summary, the first two years show a small deficit. However, the revenues received in the third year are substantial enough to erase the previous two year deficits and to pay for all services in the third year. Beginning with the third year, the revenues received from the site will be positive.

5. The City must desire to annex the area.

The Centennial Townhouse Apartment Annexation area is a logical extension of the City since it is adjacent to the corporate boundaries of Fort Wayne. Also, the annexation area is part of a larger development proposal of which 3 acres are presently located within the City. Finally, the City has accepted extraterritorial planning jurisdiction for the annexation area from the Allen County Commissioners.

C. RECOMMENDATION: It is with careful thought and consideration that the Department of Community Development and Planning recommends that Centennial Townhouse Apartments be annexed to the City of Fort Wayne. The area meets both legal and local criteria for an acceptable and beneficial annexation.

Admr. Appr. _____

DIGEST SHEET X-81-02-51

TITLE OF ORDINANCE Annexation Ordinance for Centennial Townhouse Apartments

DEPARTMENT REQUESTING ORDINANCE Community Development and Planning

SYNOPSIS OF ORDINANCE Ordinance annexes said territory to the City of Fort Wayne. The property owner, American Fletcher National Bank & Trust Co., has petitioned for annexation of the 6.85 acre tract of vacant land which is located at the east end of Serenity Drive. Annexation will simplify the plan review process of a proposed multiple family development for the site in that the proposed development is presently split by City corporate limits. Service provisions will also be simplified. Extra-territorial planning jurisdiction for this parcel has already been granted to the City Plan Commission by the Allen County Commissioners.

EFFECT OF PASSAGE Described territory will become part of the City. In addition, proposed Centennial Townhouse Apartments will be in one planning jurisdiction and under one jurisdiction for the provision of services such as fire and police protection. Annexation will also expand the City's tax base and allow it to grow along with the urban area.

EFFECT OF NON-PASSAGE The area will not become a part of the City. The proposed development for the larger area, therefore, would be split by two different planning and service jurisdictions.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) To be explained by Fiscal Plan to be prepared by CD&P.

(ASSIGN TO COMMITTEE (J.N.) Annexation

Gmr.

OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Charles W. Westerman, Clerk -:- Room 122

April 22, 1981

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of April 27 and May 4, 1981, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Annexation Ordinance

Bill No. X-81-02-51
Annexation Ordinance No. X-02-81

Please send us 5 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 14th day of April, 19 81, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-81-02-51 X-02-81 Annexation Ordinance, to-wit:

BILL NO. X-81-02-51

ANNEXATION ORDINANCE NO. X-02-81

AN ORDINANCE annexing certain territory commonly known as Centennial Townhouse Apartments to Fort Wayne, and including the same in Councilmanic District No. 6.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

A parcel of land located in the Northwest One-Quarter of Section 31, Township 30 North, Range 13 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the center of Section 31, Township 30 North, Range 13 East; thence North along the North-South centerline of Section 31 a distance of 443.0 feet to the point of beginning. BEGINNING at the above described point; thence continuing North along said North-South centerline a distance of 887.0 feet to the South line of the Northeast One-Quarter of the Northwest One-Quarter of Section 31; thence West along the South line of the Northeast One-Quarter of the Northwest One-Quarter a distance of 339.33 feet; thence South a distance of 870.8 feet; thence South 87 degrees -16' East a distance of 339.72 feet to the point of beginning, containing 6.85 acres of land more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of one (1) year from the effective date of annexation, governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to area within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

SECTION 3. Governmental and proprietary services will be

after its passage, approval by the Mayor and final publication thereof as required by law.

CITY OF FORT WAYNE

Ben A. Eisbart

Councilmember

Read the third time in full and on motion by Eisbart, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Talarico
Nays: One
Stier

Date: 4-14-81

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-81 on the 14th day of April, 1981.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of April, 1981, at the hour of 2:30 o'clock P.M.,E.S. T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of April, 1981, at the hour of 9:00 o'clock A. M., E.S.T.

Win Moses, Jr.
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-02-81 passed by the Common Council on the 14th day of April, 19 81, and that said Ordinance was duly signed and approved by the Mayor on the 20th day of April, 19 81 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 20th day of April, 19 81.

Charles W Westerman

CHARLES W. WESTERMAN
CITY CLERK

SEAL

Notice is hereby given that on the 14th day of April, 1981, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-81-02-51, X-02-81 Annexation Ordinance, to-wit:

BILL NO. X-81-02-51

ANNEXATION ORDINANCE NO. X-02-81

AN ORDINANCE annexing certain territory commonly known as Centennial Townhouse Apartments to Fort Wayne, and including the same in Councilmanic District No. 6.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

A parcel of land located in the Northwest One-Quarter of Section 31, Township 30 North, Range 13 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the center of Section 31, Township 30 North, Range 13 East; thence North along the North-South centerline of Section 31 a distance of 443.0 feet to the point of beginning, BEGINNING at the above described point; thence continuing North along said North-South centerline a distance of 887.0 feet to the South line of the Northeast One-Quarter of the Northwest One-Quarter of Section 31; thence West along the South line of the Northeast One-Quarter of the Northwest One-Quarter a distance of 339.33 feet; thence South a distance of 870.8 feet; thence South 87 degrees -16' East a distance of 339.72 feet to the point of beginning, containing 6.85 acres of land more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of one (1) year from the effective date of annexation, governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to area within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

SECTION 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

SECTION 4. Said described territory shall be part of Councilmanic District No. 6 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article I of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

CITY OF FORT WAYNE
BEN A. EISBART
Councilmember

Read the third time in full and on motion by Eisbart, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Talarico
Nays: One Stier
Date: 4-14-81

CHARLES W. WESTERMAN
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-81 on the 14th day of April, 1981.

ATTEST
CHARLES W. WESTERMAN
City Clerk

JOHN NUCKOLS
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of April, 1981, at the hour of 2:30 o'clock P.M., E.S.T.

CHARLES W. WESTERMAN
City Clerk

Approved and signed by me this 20th day of April, 1981, at the hour of 9:00 o'clock A.M., E.S.T.

WIN MOSES, JR.
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-02-81 passed by the Common Council on the 14th day of April, 1981, and that said Ordinance was duly signed and approved by the Mayor on the 20th day of April, 1981 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 20th day of April, 1981.

CHARLES W. WESTERMAN
CITY CLERK

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Date ...

General Form No. 99 P (Rev. 1967)

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

...ot exceed two actual lines, neither of which shall total more than four solid lines ...hich the body of the advertisement is set) – number of equivalent lines

	161
	2
of lines in notice	163

... 1 ... columns wide equals ... 163 ... equivalent lines at ... .276 ... $ 44.99

...tices containing rule or tabular work (50 per cent of above amount) —

...f publication (50 cents for each proof in excess of two) 1.50

...NT OF CLAIM. $ 46.49

9.6 picas Size of type 6 point

2 Size of quad upon which type is cast 6

... of Ch. 89., Acts 1967.

...nt is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Aurilla DeWald

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

4/27 – 5/4/81

Aurilla DeWald

Subscribed and sworn to before me this 4th day of May 19 81

Anne M. Perkins
Notary Public

My commission expires November 29, 1981

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines	
Head	number of lines	
Body	number of lines	161
Tail	number of lines	2
	Total number of lines in notice	163

COMPUTION OF CHARGES

163 lines, 1 cents per line columns wide equals 163 equivalent lines at .276	$ 44.99
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	1.50
TOTAL AMOUNT OF CLAIM.	$ 46.49

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date May 4, 19 81

Title CLERK

Form 904

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

4/27 - 5/4/81

Arvilla DeWald

Subscribed and sworn to before me this 4th day of May 19 81

Anne M. Perkins
Notary Public

My commission expires November 29, 1981

Form Prescribed by State Board of Accounts

General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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TOTAL AMOUNT OF CLAIM.	$ 46.49

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D Roose

Date May 4, 19 81

Title CLERK

Form 903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County, SS:

ATTAC
ADVERTI

Notice is hereby given that on the 14th day of April, 1981, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-81-02-51, X-02-81 Annexation Ordinance, to wit:

BILL NO. X-81-02-51
ANNEXATION ORDINANCE
NO. X-02-81

AN ORDINANCE annexing certain territory commonly known as Centennial Townhouse Apartments to Fort Wayne, and including the same in Councilmanic District No. 6.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana,

to-wit:

A parcel of land located in the Northwest One-Quarter of Section 31, Township 30 North, Range 13 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the center of Section 31, Township 30 North, Range 13 East; thence North along the North-South centerline of Section 31 a distance of 443.0 feet to the point of beginning. BEGINNING at the above described point; thence continuing North along said North-South centerline a distance of 887.0 feet to the South line of the Northeast One-Quarter of the Northwest One-Quarter of Section 31; thence West along the South line of the Northeast One-Quarter of the Northwest One-Quarter a distance of 339.33 feet; thence South a distance of 870.8 feet; thence South 87 degrees 16' East a distance of 339.72 feet to the point of beginning, containing 6.85 acres of land more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of one (1) year from the effective date of annexation, governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to area within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

SECTION 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

SECTION 4. Said described territory shall be part of Councilmanic District No. 6 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

CITY OF FORT WAYNE
BEN A. EISBART
Councilmember

Read the third time in full and on motion by Eisbart, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight

Burns, Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Talarico

Nays: One Sfier

Date: 4-14-81

CHARLES W. WESTERMAN
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-81 on the 14th day of April, 1981.

ATTEST
CHARLES W. WESTERMAN
City Clerk

JOHN NUCKOLS
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of April, 1981, at the hour of 2:30 o'clock P.M., E.S.T.

CHARLES W. WESTERMAN
City Clerk

Approved and signed by me this 20th day of April, 1981, at the hour of 9:00 o'clock A.M., E.S.T.

WIN MOSES, JR.
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-02-81 passed by the Common Council on the 14th day of April, 1981, and that said Ordinance was duly signed and approved by the Mayor on the 20th day of April, 1981 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 20th day of April, 1981.

CHARLES W. WESTERMAN
CITY CLERK

4/27 5/4

or said county and state, the

who, being duly sworn, says

of the

eral circulation printed and published

DIANA

attached hereto is a true copy,

the dates of publication being

2

y 19 81

Notary Public

Form Prescribed by State Board of Accounts

General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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TOTAL AMOUNT OF CLAIM.	$ 46.49

DATA FOR COMPUTING COST

Width of single column 9.6 picas — Size of type 6 point

Number of insertions 2 — Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D Roose

Date May 4, 19 81 — Title CLERK

Form 903

PUBLISHER'S AFFIDAVIT

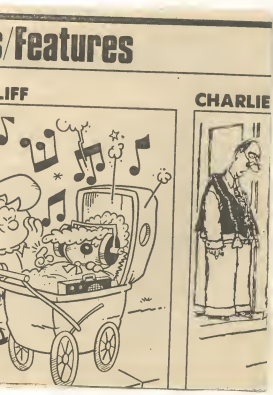
State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned D. ROOSE who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

4/27 - 5/4/81

D Roose

Subscribed and sworn to before me this 4th day of May 19 81

Anne M. Perkins
Notary Public

My commission expires November 29, 1981